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Attorneys for Defendant
AFFORDABLE CARE, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BOSTON DENTAL GROUP, LLC, a Nevada
limited liability company,

Plaintiff,

vs.

AFFORDABLE CARE, LLC, a North
Carolina limited liability company,

Defendant.

Case No.: 2:16-cv-01636-RFB-CWH

**STIPULATION AND PROPOSED
ORDER TO EXTEND THE PRETRIAL
ORDER DEADLINE TWENTY-EIGHT
(28) DAYS TO SEPTEMBER 6, 2018**

(FIFTH REQUEST)

AND RELATED COUNTERCLAIM

1 Pursuant to LR IA 6-1 and 6-2, it is hereby agreed to and stipulated between
2 Plaintiff/Counterclaim Defendant Boston Dental Group, LLC (“Boston Dental”), by and
3 through its counsel, Michael R. Mushkin & Associates P.C. and Borghese Legal, Ltd., on the
4 one hand, and Defendant/Counterclaim Plaintiff Affordable Care, LLC (“Affordable Care”),
5 by and through its counsel, Kolesar & Leatham and Barack Ferrazzano Kirschbaum &
6 Nagelberg LLP, on the other hand, to a twenty-eight (28) day extension of the August 9, 2018
7 Joint Pretrial Order deadline, until September 6, 2018, for the purpose of allowing the parties
8 to finalize a settlement agreement, as further set forth herein. This is the fifth stipulation for
9 extension of time to extend the Joint Pretrial Order deadline.

10 On July 13, 2018, this Court extended the Pretrial Order deadline to August 9, 2018 to
11 allow the parties time to finalize a settlement agreement in principle. Since that time, the
12 parties have been working to finalize the settlement agreement. The parties are optimistic that
13 settlement negotiations will be concluded shortly. Accordingly, the parties seek a brief
14 twenty-eight (28) day extension of the Joint Pretrial Order deadline in order to finalize and
15 execute the settlement agreement. The litigation of this matter will be best served by the
16 proposed extension. There is good cause to grant the parties’ fifth stipulation for extension of
17 time because the parties only seek the extension to allow time to finalize the settlement in
18 principle. *See Fernandez v. N.V.*, Case No. 2011 WL 3957612 at *2 (Dist. Nev. Sept. 6,
19 2011) (granting motion for extension of time to file pretrial brief because parties engaged in
20 settlement negotiations).

21 Accordingly, the parties stipulate that the deadline for the Joint Pretrial Order be
22 extended for twenty-eight (28) days from August 9, 2018 to September 6, 2018.

23
24 **IT IS SO STIPULATED.**
25
26
27
28

1 DATED this 8th day of August, 2018

2 **KOLESAR & LEATHAM**

DATED this 8th day of August, 2018

BORGHESE LEGAL, LTD.

3 By /s/ Sharon E. Calhoun

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By /s/ Mark Borghese

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Attorneys for Plaintiff

Boston Dental Group, LLC

16 Attorneys for Defendant

Affordable Care, LLC

18 **ORDER**

19 **IT IS SO ORDERED.**

21 
22 UNITED STATES MAGISTRATE JUDGE

23 DATED: August 9, 2018
24 _____